

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN**

BRIAN FISHER, *et al.*, individually  
and on behalf of all others similarly  
situated,

Plaintiffs,

Case No. 23-cv-10426  
Hon. Matthew F. Leitman

v.

FCA US LLC,

Defendant.

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**STIPULATED ORDER FOR 3-MONTH  
EXTENSION OF THE CASE SCHEDULE**

Plaintiffs and Defendant FCA US LLC (collectively, the “Parties”), by and through their respective undersigned counsel, have agreed and respectfully request, to extend the pretrial schedule by 90 days.

1. The Parties have been extensively litigating this case since Plaintiffs filed their initial complaint on February 17, 2023.

2. The Court and the Parties have fully adjudicated three separate motions to compel arbitration as well as Defendant’s motion to dismiss.

3. The Parties have also engaged in significant discovery since it opened in 2024, including: (1) FCA US’s production of approximately 118,000 documents, all of which have been reviewed by Plaintiffs since their production at the end of

March 2025; (2) multiple meet and confers on discovery disputes (which remain pending and may require motion practice); (3) the completion of the non-arbitration Plaintiffs' written discovery and document productions; and (4) Plaintiffs' noticing of FCA US's corporate designee for a Rule 30(b)(6) deposition.

4. Additionally, pursuant to the Court's Order Granting Defendant's Motions to Compel Arbitration (ECF Nos. 62), Plaintiffs have initiated six separate, individual arbitrations with AAA to determine the arbitrability of Plaintiffs' claims. Despite filing the arbitration demands more than two months ago, arbitrators have still not been appointed by AAA.

5. The current case schedule calls for fact discovery to be completed by July 31, 2025, Plaintiffs' expert reports to be served by August 21, 2025, and the class certification and summary judgment motions to be filed by December 11, 2025. *See* ECF No. 58.

6. The Parties believe that a 3-month extension of the pretrial schedule is appropriate for numerous reasons, including:

- (a) Six of the eleven Plaintiffs in this case remain pending in arbitration without appointed arbitrators. Moreover, an issue related to the scope of arbitration has recently percolated that may lead Plaintiffs to seek clarification of the Court's arbitration order. The Parties are unsure as to how long the arbitrators will take to rule on the arbitrability question but

are proceeding as expeditiously as possible. Discovery has not been taken of any of these Plaintiffs and closing fact discovery and serving expert reports prior to their return to litigation (if Plaintiffs prevail in arbitration) would create a burdensome and inefficient bifurcated case schedule;

(b) There are numerous discovery issues the Parties are trying to work through which were only first able to be raised after Plaintiffs dedicated months to reviewing FCA's document productions at the end of March 2025. Plaintiffs believe these issues affect their ability to take depositions and prepare for class certification and trial. The Parties are hopeful they can resolve these disputes, but additional searches and productions of documents may be necessary;

(c) FCA seeks to conduct private vehicle inspections of Plaintiffs' vehicles. Plaintiffs believe their representatives have a right to be present. That motion is currently pending.

7. The requested extension would also ensure that class certification and summary judgment would be completed, as currently contemplated, by mid-2026.

<b>Event</b>	<b>Current Deadline</b>	<b>Proposed Deadline</b>
Close of Fact Discovery	July 31, 2025	October 31, 2025
Plaintiffs Identify Experts and Serve Expert Reports	August 21, 2025	November 21, 2025
Defendant Identifies Experts and Serves Expert Reports	October 20, 2025	January 20, 2026

<b>Event</b>	<b>Current Deadline</b>	<b>Proposed Deadline</b>
Close of Expert Discovery	November 13, 2025	February 13, 2026
Deadline for Motion for Class Certification and Motion for Summary Judgment	December 11, 2025	March 11, 2026
Response in opposition to Motion for Class Certification and Motion for Summary Judgment and Deadline for Motions Challenging Experts	February 9, 2026	May 8, 2026
Reply in support of Motion for Class Certification and Motion for Summary Judgment and Responses in opposition to Motions Challenging Experts	March 11, 2026	June 11, 2026
Replies in support of Motions Challenging Experts	April 1, 2026	July 1, 2026

THEREFORE, the Court hereby ORDERS, for good cause shown, that the scheduling order in this case is hereby amended and all deadlines are extended 90 days.

**IT IS SO ORDERED.**

s/Matthew F. Leitman

MATTHEW F. LEITMAN  
UNITED STATES DISTRICT JUDGE

Dated: June 24, 2025

Dated: June 24, 2025

***Stipulated by and between:***

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